

TRUSTEE'S CONFIRMATION REPORT -2/18/16

DEBTOR: Kelly A. East
ATTORNEY: George Mitris, Esq.

CASE NO. 15-20704-PRW
ATTORNEY FEES: \$3,800
Additional Attorney Fees: \$

I. TRUSTEE RECOMMENDATION: X Plan Recommended Plan Not Recommended

II. PLAN FILED DATE: 1/22/16 (ECF BK No. 52)

A. PAYMENTS: \$ 600 per bi-weekly wage order

B. REPAYMENT:

To secured creditors \$55,783 with interest \$ 60,824

To priority creditors \$3,143

To unsecured creditors \$7,457 est. 9 %

Total unsecured debt \$86,416

Duration of Plan 5 years

Total Scheduled Debt \$404,020 incl. mortgages

C. FEASIBILITY:

Monthly Income \$4,416.49 (net) \$ 6,522.67 (gross)

Less Estimated Expenses \$3,117.00

Excess for Wage Plan \$1,299.49

D. OBJECTIONS to Confirmation: None.

E. Other comments:

☐ risk factor 3 because of prior bankruptcies

☐ need judgments removed

☐ need appraisals of real estate and personal property

☐ need certification of post petition DSO payments.

☒ other: Term of the plan starts September, 2015. Payments prior to that date will be added to the plan.

☐ need mortgages eliminated

☐ need motions to value collateral

☐ need proof of surrender efforts

III. TREATMENT OF SECURED CLAIMS/LEASE ARREARS: [Interest rate unless otherwise stated: %]

Creditor	Amt of Claim	Security Claimed	Perfectured	Plan Treatment	Monthly Pmt
Community Bank	\$82,168	Arrears	Yes	\$12,086.89 + 0%	\$202
Adirondack Bank	\$164,513	Arrears (Non-residential)	Yes	\$5,755.08 + 0%	\$96
ESL FCU	\$32,891	Arrears	Yes	\$1,621.89 + 0%	\$28
Ally Fin.	\$36,319.13	'12 Dodge RAM	Yes	Full + 5.25%	\$690
Sheffield	\$8,161.28	'13 Arctic CAT	Yes	Surrender	
Cavalry SPVI	\$2,651.43	'10 Yamaha	Yes	Surrender	

IV. SPECIAL PLAN PROVISIONS:

A. CLASSIFICATION of unsecured creditors: *Not applicable*

Class 1:	%	\$
Class 2:	%	\$
Class 3	%	\$

B. Rejection of executory contracts:

C. Other Plan Provisions:

V. BEST INTEREST TEST:

A. All assets were listed.

B. Total market value of assets: \$ 284,713

Less valid liens \$ 243,866

Less exempt property \$ 38,274

(Available for judgment liens)

Subtotal \$ 2,572

Less est. Chapter 7 fees \$ 643

C. Total available in liquidation \$ 1,929

D. Best interests including present value \$ 2,407

Less priority claims \$ 3,143

(Support \$)

E. Amount due to unsecured \$ 0

F. Amount to be distributed to unsecured creditors \$ 7,457

G. Nature of major non-exempt assets:

VI. OTHER:

A. Debtor(s) states that the plan is proposed in good faith with intent to comply with the law.

B. Debtor(s) states that to the best of its knowledge there are no circumstances that would affect the ability to make the payments under the plan.

C. (If a business) The Trustee has investigated matters before him relative to the condition of debtor's business, and has not discovered any actionable causes concerning fraud, dishonesty, incompetence, misconduct, mismanagement or irregularities in managing said business.

D. Debtor requests no wage order because: _____ disability or retirement, _____ self employed, _____ risk of job loss, _____ other

E. Converted from Chapter 7 because: Non Applicable.

/S/ _____
GEORGE M. REIBER, TRUSTEE